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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/809,759	03/15/2001	Cary Lee Bates	ROC920000170US1	4988

7590 05/16/2005

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EXAMINER

BASHORE, WILLIAM L

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 05/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/809,759

Applicant(s)

BATES ET AL.

Examiner

William L. Bashore

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 05 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: amendment filed 1/5/2005, to the original application filed 3/15/2001.
2. The rejection of claims 1-54 under 35 U.S.C. 103(a) as being unpatentable over Montalbano have been withdrawn as necessitated by amendment.
3. Claims 1-54 pending. Claims 1, 19, 37 are independent claims.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Montalbano, U.S. Patent No. 5,918,237 issued June 1999, in view of Anupam et al. (hereinafter Anupam), U.S. Patent No. 6,535,912 issued March 2003.

In regard to independent claim 1, Montalbano teaches a computer scanning an HTML file for accessing keyword and/or title information within, and related to said file, as well as a URL, subsequent to a user saving said HTML file as a bookmark (Montalbano column 4 lines 44-51, 55-63, column 6 lines 7-14; compare with claim 1 "*A computer implemented method for verifying a network address, comprising: accessing a network address included within a file;*").

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Montalbano teaches scanning said file for a keyword, said keyword can be the location of its related multimedia bookmark description (MBD) information, and/or its title, both are contextually associated with said file (i.e. both shed light on the meaning of the HTML file content) (Montalbano column 4 lines 55-65; compare with claim 1 *“providing at least one context term;”*).

Montalbano teaches said keyword can be a URL location (of its associated MBD file). After finding said embedded URL, the computer downloads its MBD file from the Internet (Montalbano column 6 lines 7-15, 44-58; compare with claim 1 *“accessing content at the accessed network address;”*).

Montalbano does not specifically teach determining whether accessed content satisfies a qualifying threshold regarding the contextual term. However, Montalbano teaches when bookmarks are displayed (including the MBD information), animated graphics specific to each bookmark appear (Montalbano column 7 lines 1-24). One of the graphics is a FuelCorp video clip announcing: “Super 100 reduces engine wear reduction by 35%. Click here to find out more.”. It would have been obvious to one of ordinary skill in the art at the time of the invention to interpret this presentation as determining whether the content satisfies a threshold regarding the context of the file (or term), since the user can make a determination as to whether the downloaded video content (“Super 100”) is what the user really wants (i.e. does “Super 100” shed enough light on what FuelCorp, and its web page, is all about, etc. It also helps to shed light on its own embedded keyword URL and its relative place within said HTML file). Applying this teaching provides a user of Montalbano the benefit of aiding in the decision making process (compare with claim 1 *“determining whether the accessed content... one contextual term;”*).

Montalbano does not specifically teach providing a substitute address if a threshold is not satisfied, and substituting accordingly. However, Anupam teaches recording a “smart” bookmark, comprising a series of recorded steps and URLs for playback, saving the user from starting over when perusing a dynamic site (i.e. e-commerce, catalog order, etc.) (Anupam Abstract). If a recorded URL path has changed, Anupam teaches heuristics for finding the best alternate match of a URL to be substituted accordingly (Anupam column 9 lines 58-67, column 10 lines 1-55). Anupam also teaches user stepwise navigation of a smart bookmark (Anupam

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column 12 lines 5-16). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Anupam to Montalbano, providing Montalbano the benefit of updating URLs to account for changing Web sites (compare with claim 1 “*providing a substitute network address... the accessed network address.*”).

In regard to dependent claims 2, 3, Montalbano teaches keyword terms (and URL) and its title in relative positions in said HTML (text related) file (Montalbano column 6 lines 6-15, 43-53).

In regard to dependent claim 4, Montalbano teaches initially selecting the option of saving a bookmark for the presently loaded HTML file (Montalbano column 6 lines 44-46). Since said HTML page is downloaded, initially saving said file implies that the user has selected (i.e. inputted) the entire file, including the contextual terms and titles for bookmarking.

In regard to dependent claims 5, 6, 7, 8, 9, Montalbano teaches keyword terms (and URL) and its title in relative positions in said HTML (text related) file, said URL downloaded from the Internet (Montalbano column 6 lines 6-20, 43-53). Montalbano looks for one instance of said keyword and URL, and Montalbano teaches header data, as well as various tags (Montalbano column 6 lines 20-30).

In regard to dependent claims 10, 11, 12, 13, 14, Montalbano teaches searching for the keyword URL over a network to download a MBD file related to an HTML file. Montalbano teaches keywords and URLs in the form of strings, as well as adding URLs to a bookmark list (Montalbano column 6 lines 5-30, 43-53).

In regard to dependent claim 15, 16, 17, 18, Montalbano teaches a URL with a URL domain. Montalbano also teaches an HTML document (Montalbano column 6 lines 7-15).

Montalbano does not specifically teach spell checking an address and stemming. However, since it is well known that an HTML code is text based and readable by any typical word processing editor (i.e. Microsoft

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Word, WordPerfect, etc., said editors containing built in spell checking capability), it would have been obvious to one of ordinary skill in the art at the time of the invention to apply typical spell checking to all text in said document (including the addresses), providing the benefit of more accurately spelled words in documents.

In regard to claims 19-36, claims 19-36 reflect the system comprising computer executable instructions used for implementing the methods as claimed in claims 1-18, and are rejected along the same rationale.

In regard to claims 37-54, claims 37-54 reflect the computer program product comprising computer executable instructions used for implementing the methods as claimed in claims 1-18, and are rejected along the same rationale.

Response to Arguments

6. Applicant's arguments with respect to claims 1-54 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory

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period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Bashore whose telephone number is (703) 308-5807. The examiner can normally be reached on 11:30am - 8:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (703) 305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


WILLIAM L. BASHORE
PRIMARY EXAMINER

May 12, 2005